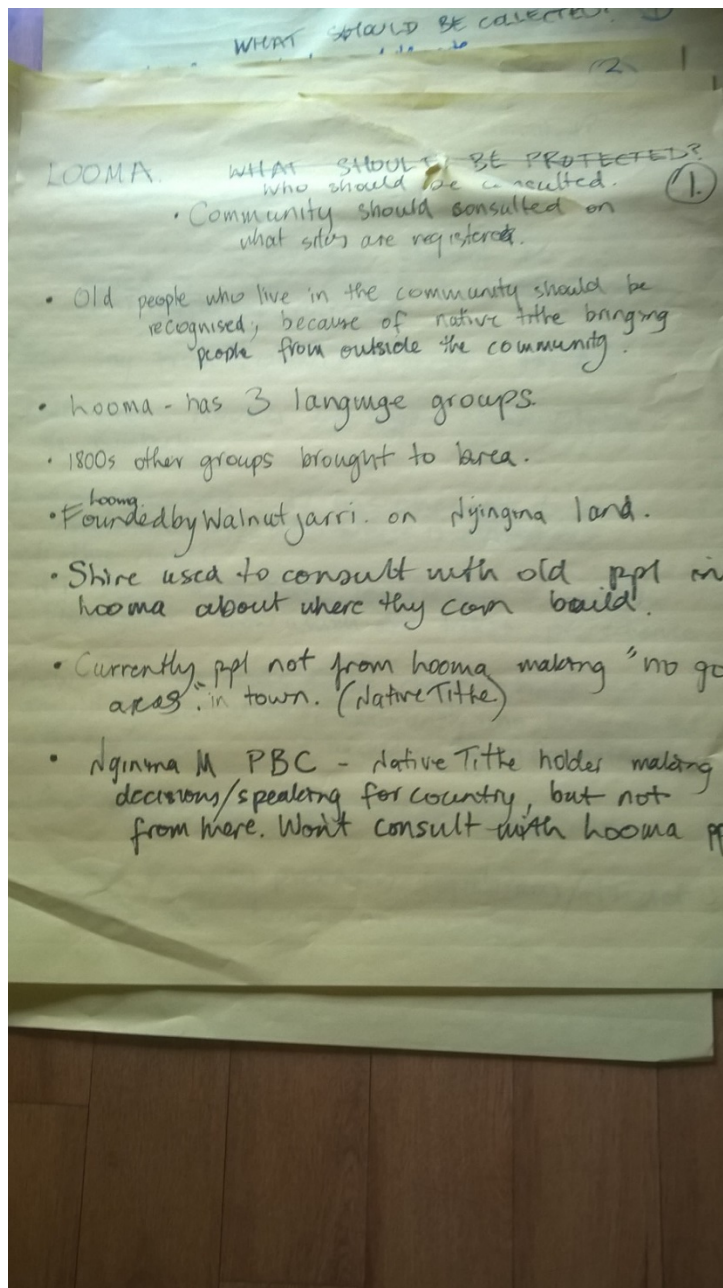


**MY HERITAGE, MY VOICE WORKSHOP  
LOOMA – 2 MAY 2018**

**MEETING RECORD**



WHAT SHOULD BE COLLECTED? (4)

Who should be consulted? (2)

Who should be consulted?


- Layout of town changes should be signed by Dingala Mungala & Looma Council. Isn't happening currently. (2)
- More say from community people in the Act.
- 2016 census Looma 2nd biggest community in the Kimberley.
- Looma freehold - rT has changed it to conditional freehold. Where is evidence? Is this right?
- rT ACT ↔ State legislation - need to know which one takes precedence.
- New Act → needs to be clear about who should be consulted. • Community who know cons about places. • backed up by information.
- New Act interaction with other legislation.
- There hasn't been any previous legislation/rT consultation with Looma community.

### What should be protected?

(3)

- Rivers <sup>should be</sup> protected from damming.  
waterways a big part of cultural life and sustenance.
- creeks used to run but don't now ~~used to~~.
- Prevents the practicing of culture
- Need better protection for the practice of cultural heritage. (hunting/fishing supplements <sup>cost of</sup> living..)
- Access should be protected to traditional hunting/fishing areas. ~~keep~~  
(Need to be a traditional area to live before become)
- Old people burial places need protection.
- Halls Creek - turke dreaming -
- Songlines - information IP should be protected.  
- what is told, who can tell it.
- Fitzroy 5 groups bought together.
- Landforms with a story should be protected.  
(+ access)

### WHAT SHOULD BE COLLECTED? ⊕

- A buffer of land around the site.
- Objects taken away from sites should have protection.
- Trails walked by people when removed from an area are important & need protection.
- Environments where plants are used for a cultural purpose.
  - protect it. 
  - others can't take knowledge.
  - used it for good with Indigenous involvement ok.
- Land should remain the same.  
(lessen Env damage to plants/animals)
- Important to be asked permission for access to sites.
- Traditional food sources/hunting areas.  
eg: seasonal areas.

### Who should be consulted? (5)

- People in community know where you can't/can go.
- NT holders have more say in housing.
- Law Act → Not just PBCs should be consulted.
- NT holders currently won't meet with other non-NT community holders.
- PBC currently has to sign off on barns in home. — <sup>council</sup> signing Mungile. last 18 months.
- Each language group knows where their country is. where the sites are, where you can visit, where you can't.

## WHAT ROLES AND RESPONSIBILITIES ARE DECIDED? (6)

- Joint community + PBC - everyone should be involved.
- Community closest to the site should have a role.
- Locoma - 3 groups in one area - not groups speaking for separate areas.
- Ngingma Mungma - shouldn't speak for whole claim area, there are clans/families from areas.
- ~~Be able to~~ Be able to take responsibility for sites on areas not where you live now, but where your family area from.
- Consultation needs to be fair and even so everyone gets a say.
- Recognition by other Aboriginal groups of your family connection to other areas is important.
- Minister shouldn't have final say - should be a joint agreement with Aboriginal groups.

## Roles + Responsibilities

ACMC - role - <sup>some</sup> community not aware of what they make decisions about

- decisions about major development need to be made by community (local)

- PBC

- minister

need to reach an agreement / compromise.

Transparent process where community know / can see how decisions are made.

In form community

- Community want more involvement in decision-making (ACMC) post initial consultation
- ACMC member should have resources to consult with community regarding impacts to heritage.

\* Area of interest - need to be consulted about potential development AROUND town of Hoona not just the town

## WHAT ACTIONS REQUIRE APPROVAL? <sup>8.</sup>

- Walking trails - yes needs approval.
- Roads through a site - needs approval.
- Mining, including activities that impact on waterways.
- If it is being touched and is a site it needs approval.
- Local restrictions on access should have compliance and monitoring.
- Miners must contact DPHH before application mandatory.
- Activities that will affect traditional hunting activities need an application.
- Community needs to know + be aware of the application process.
- Courtesy to let TOs know if someone wants to conduct an activity or access areas with sites in them. • hoonah heritage stock trail?
- Books, writing, needs consultation/approval at a community level.



what actions require approval?

- Anyone can enjoy rivers as long as they are respectful + don't damage
- dams + construction that affects waterways.  
Can't tell the story for an area if it isn't yours to tell.
- drilling.
  - Aboriginal communities making changes to their own land with others on it shouldn't need approval.
- hunting + fishing of animals traditionally used.
- use of water.
  - landowner approval should not be required.

What Penalties?

- fined if they damage something.
  - Banned from the area.
  - ignorance not an excuse - they should ask permission + know where the site is so they don't disturb it.
  - Sites are history, are sacred - if damaged they can't be put back the way they are.
- Penalty should depend on the damage level (scale) how significant is the site?
- unlimited but
- Money from fine should go towards the place where the damage was done.
  - Jail time if damage is significant.
  - education so it doesn't happen again. (cultural awareness).

- Education to prevent damage
  - encourage people to use A+115 maps to avoid sites.
- ~~sites~~ <sup>sites</sup> to include.
  - record v reels, audio archives of information associated with sites.

where does this fit in the legislation?  
 \* Access to Family history records.

- church records? - should be protected from destruction
  - should be accessible to family
  - not accessible to just anyone.

- Photos of people, sites, cultural practices.

- Aboriginality is not defined by how you act. Within yourself + recognised.
- Cultural traditions can take many forms.



**MY HERITAGE, MY VOICE WORKSHOP  
LOOMA – 2 MAY 2018**

**MEETING RECORD**

1. What needs legislation to protect it?
  - Rivers should be protected from damming waterways are a big part of cultural life and sustenance.
  - Creeks used to run but not now
  - Prevents us from practicing of culture
  - Need better protection for the practicing of cultural heritage (hunting/fishing supplements cost of living)
  - Access to hunting fishing areas should be protected too (Used to be a traditional area to live before Looma)
  - Old people burial places need protection especially for those who died making journey to Looma
  - Halls Creek – Turtle Dreaming and song lines like this information and intellectual property should be protected – what is told and who can tell it
  - Fitzroy 5 groups brought together who speaks
  - Landforms with a story should be protected and access should also be protected or controlled.
  - A buffer of land around the site
  - Objects taken away in past and future from sites should have protection
  - Trials walked by people when removed from traditional lands are important and need protection.
  - Environments where plants are used for a cultural purpose then protect these things
  - Others cannot take this knowledge for commercial purposes eg bush medicine
  - If it is used for good with Indigenous people are involved, then this is OK
  - Land should remain the same (lessen environmental damage to plants and animals)
  - Important to be asked for permission to access sites
  - Traditional food sources/ seasonal hunting areas should be protected.
  
2. What roles and responsibilities are needed?
  - Joint Community + PBC – everyone should be involved.
  - Community closest to the site should have a role.
  - Looma – 3 groups in one area – not groups speaking for separate areas.
  - Nyikina Mangala – shouldn't speak for whole claim area – there are clans/families for areas.
  - Be able to take responsibility for sites on areas not where you live now, but where your family are from.
  - Consultation should be fair so everyone gets a say.
  - Recognition by other Aboriginal groups of your family connection to other areas is important.
  - Minister shouldn't have final say – should be a joint agreement with Aboriginal groups.
  - ACMC role – community not aware of what they make decisions about.
  - Decisions about major developments need to be made by community (local), PBC and Minister – need to reach agreement compromise.
  - Transparent process where community know/can see how decisions are made.
  - Inform community.
  - Community want more involvement in decision making (ACMC) post initial consultation.
  - ACMC members should have resources to consult with community regarding impacts to heritage.
  - Area of interest – need to be consulted about potential development around Looma – not just the town.

### 3. Who should be consulted and how?

- Aboriginal Community should be consulted on what sites are registered
- Old people who live in community should be recognised; because of native title bringing people from outside the community
- Looma has 3 language groups
- 1800s other groups brought to area
- Looma founded by Walmatjarri on Nyikina Lands
- Shire of Derby used to consult with old people in Looma about where they can build
- Currently people not from Looma making “no go” areas in town through Native Title preventing Looma from building in areas close to existing houses
- Nyikina Mangala PBC – Native Title holder making decisions/speaking for country, but not from here. Won't consult with Looma people.
- Layout of town changes should be signed by Nyikina Mangala and Looma Council this is not happening currently
- More say for community people in the new Act
- 2016 Census says Looma is 2<sup>nd</sup> biggest community in the Kimberley
- Looma used to be unconditional freehold – Native Title has changed it to conditional freehold. Where is the evidence? Is this right?
- Native Title Act and State legislation need to consider when planning this Heritage Act which has precedence?
- New Heritage Act needs to be clear about who should be consulted about places. Community should know who was consulted and this needs to be backed up by information. Our community does not see any of this information
- New Heritage Act must interact with other legislation
- There hasn't been any previous legislation for example Native Title where consultation with Looma community was part of the considered.
- People in community know where you can and cannot go
- Native Title holders have more say in housing
- New Heritage Act should not just be Prescribed Body Corporates consulted but community also
- Native Title holders currently will not meet with non Native Title holders.
- PBC's currently have to sign off on burials in Looma (Shire, Nyikina Mangala) since last 18 months.
- Each language group knows where their country is – where their sites are, where you can visit, where you cannot visit.

### 4. What actions require approval?

- Walking trails – yes needs approval. Roads through a site needs approval.
- Mining, including activities that impact on waterways.
- If it is being touched and is a site – needs approval.
- Local restrictions on access – should have compliance and monitoring.
- Miners must contact DPLH before application – mandatory.
- Activities that will affect traditional hunting activities need an application.
- Courtesy to let TOs know if someone wants to conduct an activity or access areas with sites in them. Looma heritage stock trail?
- Books, writing needs consultation/approval at community level.
- Anyone can enjoy river as long as they are respectful and don't damage.
- Dams + construction that affects waterways.
- Can't tell story for an area if it isn't yours to tell.
- Drilling
- Aboriginal communities making changes to their own land with sites on it shouldn't need approval.

- Use of water
- Landowner approval should not be required.

5. What penalties are needed?

- Fined if they damage something
- Banned from the area
- Ignorance not an excuse – they should ask permission + know where the site is so they don't disturb it.
- Sites are history, are sacred – if damaged they can't be put back the way they are.
- Unlimited fines – but penalty would depend on damage level (scale). How significant is the site?
- Money from the fine should go towards place where the damage was done.
- Jail time if damage is significant.
- Education so that it doesn't happen again (cultural awareness).

6. Other General Comments

- Education to prevent damage – encourage people to use AHIS, maps to avoid sites.
- Sites to include record, audio, archive of information associated with sites. Where does this fit in with existing legislation.
- Access to family history records.
- Church records – should be protected – should be accessible to family – not accessible to just anyone.
- Photos of people, sites, cultural practices.
- Cultural Traditions can take many forms.